

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHRISTOPHER BURR, individually and
as adoptive parent and legal guardian of
L.B., a minor; and SUAN HOY guardian
ad litem for L.B., a minor,

Plaintiff,

v.

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES; COUNTY OF
CLARK, a political subdivision of the State of
Nevada; HEATHER MUMMEY, individually
and in her official capacity; TIM BURCH,
individually and in his official capacity; ROE
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES EMPLOYEES I
through X, individually and in their official
capacities; JONEL KAYE REPOLLO
QUERRER, individually; DOES I through
XX; and ROE CORPORATIONS I through
XX, inclusive,

Defendants.

Case No. 2:20-cv-01101-JCM-EJY

ORDER

Pending before the Court are Defendants' Clark County and Heather Mummey's Motion for Leave to File Exhibits in Support of Motion for Summary Judgment Under Seal. ECF No. 74. Specifically, Defendants seek to seal Exhibits A, C to Z, AA to MM, and OO to WW to their Motion for Summary Judgment.

Defendants describe each exhibit and provides the basis for their request. While courts have historically "recognized a general right to inspect and copy public records and documents, including judicial records and documents" there are compelling reasons that overcome this right. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir.2006). The court must weigh relevant factors including "the public interest in understanding the judicial process and whether disclosure of the material could result in improper use of the material for scandalous or libelous purposes or infringement upon trade secrets." *Williams v. Nevada Dep't of Corr.*, 2014 WL 3734287, at *1 (D. Nev. July 29, 2014) citing *Pintos v. Pacific Creditors Ass'n*, 605 F.3d 665, 679 n.6 (9th Cir. 2010).

1 The Court generally recognizes the need to protect medical privacy as a qualified “compelling
2 reason” for sealing records in connection with a dispositive motion. *Id. citing, e.g., San Ramon*
3 *Reg'l Med. Ctr., Inc. v. Principal Life Ins. Co.*, 2011 WL 89931, at *1 n.1 (N.D. Cal. Jan.10, 2011);
4 *Abbey v. Hawaii Emp'r Mut. Ins. Co.*, 2010 WL 4715793, at **1–2 (D. Haw. Nov.15, 2010); *Wilkins*
5 *v. Ahern*, 2010 WL 3755654, at *4 (N.D. Cal. Sept.24, 2010); *Lombardi v. Tri West Healthcare*
6 *Alliance Corp.*, 2009 WL 1212170, at *1 (D.Ariz. May 4, 2009).

7 Based on the foregoing, IT IS HEREBY ORDERED that Defendants' for Leave to File
8 Exhibits in Support of Motion for Summary Judgment Under Seal (ECF No. 74) is GRANTED.

9 IT IS FURTHER ORDERED that Exhibits A, C to Z, AA to MM, and OO to WW to
10 Defendants' Motion for Summary Judgment are and shall remain sealed.

11 Dated this 26th day of January, 2023.

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13 ELAYNA J. YOUCHAK
14 UNITED STATES MAGISTRATE JUDGE
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